IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 10744 of 2007(D)

PETITIONER:

PALAMANGALATH ILLATH VISHNU NAMBOODIRI,
AGED 62, S/O VASUDEVAN NAMBOODIRI,
PALAMANGALATH ILLAM, UPPILIKKAI P.O.,
HOSDURG TALUK, KASARAGOD DT.

BY ADV. SRI.E.NARAYANAN

RESPONDENTS:
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1. THE DEPUTY COMMISSIONER,
H.R.AND C.E., KOZHIKODE.

2. SRI MADIYAMKOOLOM KSHETHRA PALAKA
DEVASWOM REP.BY THE CHAIRMAN, BOARD OF TRUSTEES,
MANIKKOTH P.O., KANHANGAD, PIN- 671 328.

3. BOARD OF TRUSTEES,
SRI MADIYOMKOOLAM DEVASWOM REPRESENTED BY ITS
CHAIRMAN, MANIKOTH P.O., PIN 671 328.

4. T.MADHAVAN NAMBOODIRI, AGED 47,
S/O.EASWARAN NAMBOODIRI, MADHURAKKAT THEKKE ILLAM,
HARIPURAM P.O., ANANDASRAMAM VIA, KANHANGAD,
KASARAGOD DT.

BY GOVERNMENT PLEADER SMT. K. MEERA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.

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W.P.C. NO. 10744 OF 2007

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Dated this the 28th day of March, 2007.

J U D G M E N T

Radhakrishnan, Ag.C.J.

The challenge in this writ petition is against Ext.P10 order passed by the first respondent in I.A. 3/07 in O.A.4/2007, by which the Commissioner has granted interim injunction as prayed for until further orders and the matter was posted to 1.3.2007. Counsel appearing for the writ petitioner submits that the petitioner was not heard before the interim order was passed. Further, it is stated that the Commissioner has no power to take a decision in this matter and he has acted without jurisdiction. We are of the view that if the petitioner has got any grievance he may approach the first respondent who will take note of the contentions of the petitioner and pass appropriate orders in accordance with law. We make it clear that we are not expressing any opinion on the merits of this case.

The writ petition is disposed of with the above observation.

K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.

M.N. KRISHNAN, JUDGE.

ul/-